

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ERICK BRANDON MOORE,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-07-496-M
)	
JOHN WHETSEL, Sheriff, et al.,)	
)	
Defendants.)	


ORDER

On May 31, 2007, United States Magistrate Judge Doyle W. Argo issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, alleging a violation of plaintiff's constitutional rights. Because plaintiff has neither paid the partial filing fee as ordered by the Court nor shown good cause for such failure, the Magistrate Judge recommended that this action be dismissed without prejudice to refiling. Plaintiff was advised of his right to object to the Report and Recommendation by June 20, 2007. A review of the file reveals no objection has been filed.

Accordingly, upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on May 31, 2007, and
- (2) DISMISSES this action without prejudice to refiling.

IT IS SO ORDERED this 5th day of July, 2007.


VICKI MILES-LAGRANGE
UNITED STATES DISTRICT JUDGE